

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, MARCH 21, 2005**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:08 p.m. on Monday, March 21, 2005, with President Talley presiding.

Councillor Cain led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
1 ABSENT: Mansfield

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

President Talley welcomed Congresswoman Julia Carson and invited her to address the Council. Ms. Carson stated that she is here this evening in honor of the proposal recognizing Crispus Attucks High School 1955 basketball team, as she is a product of Crispus Attucks. She said that they are a good example of determination and she is proud to be a part. She added that President Talley is a product of Crispus Attucks also, and she encouraged him to keep his head up and move forward. Councillor Oliver welcomed friends and family of the 1955 basketball team, as well as team members. Councillor Cockrum recognized former deputy mayor John Krauss. Councillor Borst recognized former Council member Elwood Black.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, March 21, 2005, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Steve Talley
President, City-County Council

March 8, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Wednesday, March 9, 2005, a copy of a Notice of Public Hearing on Proposal Nos. 69-72, 76, 78-80, 83 and 84, 2005, said hearing to be held on Monday, March 21, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

March 10, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances and resolutions:

FISCAL ORDINANCE NO. 22, 2005 – approves an increase of \$56,180 in the 2005 budget of the Forensic Services Agency (State and Federal Grants Fund) to upgrade the digital imaging capabilities of the forensic illustration section, funded by a grant from the National Institute of Justice under the Paul Coverdell Forensic Science Improvement Grant Program

FISCAL ORDINANCE NO. 23, 2005 – approves an increase of \$518,372 in the 2005 Budget of the Department of Public Safety, Fire Division (Non-Lapsing Federal Grants Fund) to purchase new portable radio equipment, in support of the communications system upgrade, financed by a grant from the Department of Homeland Security/Federal Emergency Management Agency (DHS-FEMA)

FISCAL ORDINANCE NO. 24, 2005 – approves an increase of \$275,372 in the 2005 Budget of the Department of Public Safety, Police Division (Federal Grants Funds) to provide a regional training seminar on Indy's Approach to Domestic Violence, purchase supplies and equipment for community policing initiatives, and to continue the Internet Crimes Against Children Task Force

GENERAL ORDINANCE NO. 7, 2005 – amends the Code to require that egress from exit stairwells not be restricted on intervening floors

GENERAL ORDINANCE NO. 8, 2005 – clarifies the powers and responsibilities of various building and construction boards, as well as the duties of certain types of contractors

GENERAL ORDINANCE NO. 9, 2005 – allows permit applications by facsimile machine to allow the division of compliance to withhold issuance of building permits under certain circumstances and makes other technical changes to the Buildings and Construction chapter of the Code to reflect advances and feedback from the industry

March 21, 2005

SPECIAL RESOLUTION NO. 14, 2005 – recognizes Minh Thai as being named a finalist in the National Merit Scholarship Competition

SPECIAL RESOLUTION NO. 15, 2005 – recognizes Indianapolis Book Fest, Inc. and their second annual Indianapolis Book Fest on Saturday, April 23, 2005

SPECIAL RESOLUTION NO. 16, 2005 – honors Heroine Elaine Jewell-James, Alpha Grand Court Heroines of Jericho Prince Hall Affiliate, State of Indiana

SPECIAL RESOLUTION NO. 17, 2005 – recognizes Companion Saul O. James, Grand Most Worthy Joshua of Alpha Grand Court Heroines of Jericho Jurisdiction of Indiana, for thirty-one years of service to the Prince Hall Masonic Family

SPECIAL RESOLUTION NO. 18, 2005 – an inducement resolution for LDG Fox Run, LLC in an amount not to exceed \$12,000,000, which consists of the acquisition and rehabilitation of the existing 256-unit multi-family housing rental project currently known as Fox Run Apartments (to be renamed Cambridge Fox Run Apartments) located at 523 Tomahawk Trail (District 13)

SPECIAL RESOLUTION NO. 19, 2005 – authorizes Robert J. Clifford as an agent to accept pension liability on behalf of the City of Indianapolis and Marion County

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of March 7, 2005. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 95, 2005. The proposal, sponsored by Councillors Gibson, Talley and Schneider, congratulates the Arlington High School Golden Knights on their victory in the 66th annual boys basketball Indianapolis City tournament. Councillor Gibson read the proposal and presented representatives with copies of the document and Council pins. Principal Jackie Greenwood stated that these athletes must be academically sound and have at least a 95% attendance record, and the school stresses academics first and athletics second. Coach Nicks said that it is a privilege and honor to represent the team and thanked the Council for the recognition. Councillor Schneider said that he is a former player for Coach Nicks and he has a true heart for kids and is a true testimony to the quality of coaching staff. Senior team members David Squires and Terry Combs thanked the Council for the recognition. Councillor Gibson moved, seconded by Councillor Schneider, for adoption. Proposal No. 95, 2005 was adopted by a unanimous voice vote.

Proposal No. 95, 2005 was retitled SPECIAL RESOLUTION NO. 20, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 20, 2005

A SPECIAL RESOLUTION recognizing Arlington High School Golden Knights on their victory in the 66th Annual Boys Basketball Indianapolis City Tournament on January 24, 2005.

WHEREAS, with fans excited and on the edge of their seats with 9.3 seconds left in the game, senior David Squires shot the winning free throw which hit the front rim and backboard before finally going in; and

WHEREAS, the winning shot gave the Class 4A, number one ranked Golden Knights a 53-52 lead over the Space Pioneers of Northwest High School; and

WHEREAS, for the 16-0 Arlington Golden Knights, this year's championship title is the seventh in the school's history and their fifth in nine years; and

WHEREAS, Athletic Director and Head Coach Larry Nicks is now tied with Tech High School's Coach Tim Campbell as the winner of the most Indianapolis City Championship titles, a record that has stood since 1934 when Coach Campbell won the first of five titles; and

WHEREAS, the Golden Knights were led by the outstanding work of six seniors: David Squires, Anthony Mumford, Tim Smith, Terry Coleman, Antonio Batteast and Deonta Vaughn; and

WHEREAS, the success of the Golden Knights can be credited to the outstanding work of Coach Nicks and the hard work, leadership and maturity of the players; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City County Council congratulates the Arlington High School Golden Knights on their 2005 win and the seventh Indianapolis City Tournament win in the school's history.

SECTION 2. The Council wishes much success to the players, coach, and staff and hope they continue to make our wonderful city shine with title championships.

SECTION 3. The Council gives special recognition to the seniors on the team as they prepare for graduation and life after high school.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 141, 2005. The proposal, sponsored by Councillors Oliver, Talley, Boyd and Gray, recognizes the members and 50th Anniversary of the 1955 Crispus Attucks Tigers State Basketball Championship team. Councillor Oliver read the proposal and presented representatives with copies of the document and Council pins. Team member Bill Hamilton thanked the Council for the recognition and said that the entire community and school staff supported the team and made their success possible. Congresswoman Carson commended the team and thanked them for their many contributions to Indianapolis. Councillor Boyd said that 1955 was a different time, and Crispus Attucks was an all-black school when he attended as a student, and an all-black teaching staff when he taught there for 11 years. He said that the challenges of that day were significantly different, and it was remarkable what they did. Indianapolis has a rich history, and these individuals are part of that history. Councillor Gray said that he did not attend Crispus Attucks, but he was a fan and attended many games and can remember that exciting time. Councillor Talley said that he is also an alumni of Crispus Attucks and remembers the coaches and teachers with great fondness. He said that it is remarkable how far this city has come. Elwood Black, former Councillor, stated that he remembers Cathedral High School being the first white school in Indianapolis to play Crispus Attucks in basketball. He was involved in basketball, football and track and has great respect for the coaches of that time. He said that when Ms. Carson was a student, he gave her her first job as his secretary. Gilbert Taylor, curator of the Crispus Attucks Museum, thanked the Council for the recognition and invited them to visit the museum to learn more about the rich history of this team. Pat Payne, director of the Indianapolis Public Schools Office of Multi-cultural Education, stated that these honors are long overdue. Councillor Borst said that former coach Ray Crowe, who has now

passed on and was not able to be here this evening, spent four years as a Councilman in this chamber. He said that he was an impressive, low-key gentleman and everyone listened when he spoke. Councillor Nytes recommended a book "They Can't Keep Us Down" that tells the story of the Crispus Attucks team. Councillor Oliver moved, seconded by Councillor Gray, for adoption. Proposal No. 141, 2005 was adopted by a unanimous voice vote.

Proposal No. 141, 2005 was retitled SPECIAL RESOLUTION NO. 21, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 21, 2005

A SPECIAL RESOLUTION recognizing the members and 50th Anniversary of the 1955 Crispus Attucks Tigers State Basketball Championship team.

WHEREAS, Crispus Attucks Tigers made national history on March 19, 1955 when it became the first all-black school and team to win an open state tournament; and

WHEREAS, the win for the Tigers also made history as the first time a team from Indianapolis had won a state basketball title; and

WHEREAS, nearly 15,000 fans packed Butler Fieldhouse and millions of people watched the game or listened to it on the radio as the Tigers defeated Gary Roosevelt Crushing 97-74; and

WHEREAS, the members of the team included; Willie Merriweather, Bill Brown, Oscar Robetson, Bill Burnley, Sheddric Mitchell, Sam Milton, Bill Scott, Sanford Patton, Bill Hampton and John Gipson and was headed by Coach Ray Crowe who took the Tigers to another state championship win in 1956; and

WHEREAS, over 15,000 people gathered on Monument Circle and 25,000 fans greeted the team at Northwestern Park to celebrate the historic event; and

WHEREAS, during the 1954-55 season Attucks had an average winning margin of 22 points and entered the state tournament with a 20-1 record; and

WHEREAS, in spite of being initially denied membership in the Indiana High School Athletic Association, the Tigers persisted in breaking down the walls of exclusion in the IHSAA to go on and win several state championships; and

WHEREAS, even though the team faced discrimination, unfair treatment and bad calls from referees and other teams, the Tigers continued to conduct themselves in the positive and professional manner that was expected of them from Coach Crowe; and

WHEREAS, the 1955 win by Crispus Attucks made a major impact on race relations in Indianapolis by showing the talent and athletic ability of black students and opening the doors for the school systems to integrate in Indianapolis, now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council is pleased to honor and recognize the members and 50th Anniversary of the 1955 Crispus Attuck Tigers Championship Team that lead the way to school integration in Indianapolis.

SECTION 2. The Council is privileged to be the City of the team that made history by being the first all-black team in the nation to win a state championship title in spite of all the odds that were put against them.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 142, 2005. The proposal, sponsored by Councillor Cain, recognizes Troop 910 for their service to the community and eagerness to learn about local government. Councillor Cain read the proposal and presented representatives with copies of the document and Council pins. Councillor Conley stated that he was not a ball player, but was an Eagle Scout and salutes these young men. Councillor Bradford stated that he is also a member of East 91st Street Christian Church where these young men meet, and congratulated them on their achievements. Councillor Cain moved, seconded by Councillor Cockrum, for adoption. Proposal No. 142, 2005 was adopted by a unanimous voice vote.

Proposal No. 142, 2005 was retitled SPECIAL RESOLUTION NO. 22, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 2005

A SPECIAL RESOLUTION recognizing Troop 910 for their service to the community and eagerness to learn about local government.

WHEREAS, Boy Scouts Troop 910 was the first scout troop chartered by East 91st Street Christian Church in April 1996; and

WHEREAS, Troop 910 continues to work with East 91st Street Christian Church and is viewed as a community outreach ministry for the church; and

WHEREAS, Rich Wasson has made a major commitment to the success of Troop 910 by serving as Scout Master for five years; and

WHEREAS, in January 2004 Troop 910 received the Northeast District Troop of the Year Award; and

WHEREAS, youth participate in challenging games such as; pack relay, bow saw relay, match light, string burning relay, British bulldog, caterpillar race, crows and cranes, Tug-O-War and knot relay; and

WHEREAS, the Troop helps youth build strong character, become dedicated citizens, and be physically fit; and

WHEREAS, as a member of Troop 910, youth learn to have courage, be resourceful, understand and appreciate how American government works, have personal values based on religious concepts, and help others; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council is pleased that Troop 910 is dedicated to serving the community and teaching youth strong values.

SECTION 2. The Council wishes Scout Master Rich Wasson and Troop 910 members the best.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 143, 2005. The proposal, sponsored by Councillor Plowman, recognizes Pack 104 Cub Scouts Arrow of Light recipients. Councillor Plowman read the proposal and presented copies of the document and Council pins to representative. Scoutmaster David Heath thanked the Council for this recognition and thanked the parents of these boys who help keep them involved in their community. Councillor Plowman moved, seconded by Councillor Borst, for adoption. Proposal No. 143, 2005 was adopted by a unanimous voice vote.

March 21, 2005

Proposal No. 143, 2005 was retitled SPECIAL RESOLUTION NO. 23, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 2005

A SPECIAL RESOLUTION recognizing Pack 104 Cub Scouts Arrow of Light recipients.

WHEREAS, in 1930, the Boy Scouts of America initiated the Cub Scouts program for younger boys in the first grade through fifth grade; and

WHEREAS, Pack 104 Cub Scouts earned Webelos badges from five areas, the physical skills group, mental skills group, community group, technology group and outdoor group; and

WHEREAS, after receiving their Webelos badges Aaron Nanavity, Thomas Dortch, Derron Pollard, Cody Proffitt, Logan Modlin and Ryan Strohm went on to complete the requirement to become recipients of the Arrow of Light Award; and

WHEREAS, by the time a Cub Scout earns the Arrow of Light Award he has learned many things about a lot of subjects; and

WHEREAS, requirements to receive the Arrow of Light Award include being active in the Webelos den for at least six months and earning the Webelos badge, showing knowledge of becoming a Boy Scout, earning five badges in addition to the Webelos badge, conducting a visit to a Scout event with their Webelos den, participating in an overnight campout or day hike, having a conference with a Boy Scout Scoutmaster and completing the Honesty Character Connection; and

WHEREAS, Pack 104 Cub Scouts participated in advanced activities and have now graduated to Boy Scouts; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates Pack 104 Cub Scouts on graduating to Boy Scouts.

SECTION 2. The Council wishes them much success as they take on the adventures of being a Boy Scout.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 115, 2005. The proposal, sponsored all Councillors, recognizes Jerry Barker for five outstanding years of service as Police Chief of the Indianapolis Police Department (IPD). Councillor Franklin read the proposal and presented Chief Barker with a copy of the document and a Council pin. Councillor Randolph said that Chief Barker is a good and honorable man and dedicated public servant. Chief Barker said that his success as chief the last five years has been because of the dedicated men and women wearing the IPD uniform. He thanked the Council for the recognition. Councillor Franklin moved, seconded by Councillor Randolph, for adoption. Proposal No. 115, 2005 was adopted by a unanimous voice vote.

Proposal No. 115, 2005 was retitled SPECIAL RESOLUTION NO. 24, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 2005

A SPECIAL RESOLUTION recognizing Jerry Barker for five outstanding years of service as Police Chief of the Indianapolis Police Department (IPD).

WHEREAS, Chief Jerry Barker's career as a police officer, which started in 1969, includes being a patrol officer in the West District, assistant commander of the vice branch from 1986 – 92, Commander of the SWAT team in 1993 and Deputy Chief of the West District from 1994-2000; and

WHEREAS, during his assignment to the West District, he ordered his officers to walk their beat and get to know the people in the community on a first-name basis; and

WHEREAS, for the West District, he also started a Boy Scout Troop which met at the police station, allowed community leaders to help interview officers who applied for promotions and, established a carnival where children received free rides if they earned good grades in school; and

WHEREAS, Chief Barker's vision of community policing is credited with drastically reducing crime in the West District and is viewed as a national model for how community policing can decrease crime and bring police and the community together; and

WHEREAS, due to his belief that the fight against crime must take place block by block and neighborhood by neighborhood, the community set up crime watch groups, held anti-drug marches and met with police on a regular basis; and

WHEREAS, Chief Barker has served the community by being a police officer for 36 years; and

WHEREAS, Chief Barker was appointed by Mayor Bart Peterson to serve as Police Chief in 2000 until he resigned in March 2005; and

WHEREAS, under his leadership, IPD added 200 new officers, and instituted a citywide community policing program; and

WHEREAS, his dedication to the community and this country began with his service in the U.S. Army First Armored Cavalry Regiment, Fourth Infantry Division, where he was a sergeant, served during the Vietnam War, was wounded in battle, and received a Purple Heart now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council thanks Chief Barker for his service to Indianapolis and the people of this country.

SECTION 2. The Council wishes him well and looks forward to working with him in his new position as special assistant to the director of public safety.

SECTION 3. The Council appreciates his vision of community policing and the importance it had in decreasing the crime rate in Indianapolis.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 74, 2005. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 74, 2005 on March 16, 2005. The proposal, sponsored by Councillors Gibson, Gray, Talley, Sanders, Conley and Boyd, urges President George W. Bush and members of Congress to provide adequate appropriations to fund Amtrak. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes moved, seconded by Councillor Gibson, for adoption. Proposal No. 74, 2005 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

2 NOT VOTING: *Franklin, Randolph*

1 ABSENT: *Mansfield*

Proposal No. 74, 2005 was retitled SPECIAL RESOLUTION NO. 25, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 2005

A SPECIAL RESOLUTION urging President George W. Bush and members of Congress to provide adequate appropriations to fund Amtrak.

WHEREAS, Indianapolis enjoys a proud history as a transportation center for Indiana and this role has been of vital importance to central Indiana's economy; and

WHEREAS, passenger rail is a valuable energy efficient alternative to road and air travel and helps to improve our air quality; and

WHEREAS, as a matter of good public policy, the federal government has long subsidized the costs of interstate travel by operating the nation's air traffic control system and furnishing funds to build and repair roads and airports; and

WHEREAS, national transportation systems around the world require operating subsidies in order to function and those subsidies contribute to the public good in all nations that have public transportation systems; and

WHEREAS, the President has proposed a budget to Congress that offers no funding for the continued passenger rail service provided by Amtrak; and

WHEREAS, without the subsidy, Amtrak will be forced to cease operations which will result in the loss of hundreds of jobs at the maintenance facility in Beech Grove, as well as non-Amtrak jobs powered by Amtrak's presence in the community; and

WHEREAS, in order to be effective the passenger rail system must be national in character and cannot be left to states, counties and municipalities to fund and operate the transportation system, now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council urges the President and Congress to provide for the continuation and improvement of Amtrak's service to Indianapolis, to Indiana, to the Midwest and the nation.

SECTION 2. The Council feels that additional passenger rail service should be provided in order to have more alternative forms of transportation.

SECTION 3. The Council supports the City of Beech Grove's request for funding an economic and environmental re-use study in this area.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 96, 2005. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 96, 2005 on March 8, 2005. The proposal, sponsored by Councillors Gray, Gibson, Talley, Pfisterer, McWhirter, Plowman, Keller, Day, Bradford, Langsford, Borst and Randolph, urges Congress to support Federal multi-emissions reductions. By a 6-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gibson encouraged Councillors to think wholistically and encourage a clean environment for Indianapolis in a non-partisan manner.

Councillor Mahern said that he supports the proposal, but does not think it goes far enough.

Councillor Bowes said that he supports the concept of federal multi-emission reduction, but he is opposed to this proposal because it is not strong enough to actually clean up the air.

Councillor Bradford said that if the environmental activists thought the proposal was a bad one, they would be here this evening to protest, and since they are not, he can support it.

Councillor Boyd moved, seconded by Councillor Gray, for adoption. Proposal No. 96, 2005 was adopted on the following roll call vote; viz:

Proposal No. 96, 2005 was retitled COUNCIL RESOLUTION NO. 43, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 2005

A COUNCIL RESOLUTION urging congress to support Federal Multi-Emissions reductions.

WHEREAS, Air quality has improved significantly in the United States since passage of the Clean Air Act of 1990 with both sulfur dioxide (SO₂) and nitrogen (NO_x) emissions down by more than 40 percent; and

WHEREAS, these emissions reductions have occurred while consumer electricity use has increased 159 percent over the same period; and

WHEREAS, Indiana's utilities have invested several billion dollars in the last 15 years on pollution control equipment such as scrubbers and selective catalytic reduction units; and

WHEREAS, Indiana utility companies are now preparing to invest billions more to comply with pending EPA rules on SO₂, NO_x and mercury; and

WHEREAS, Congress is now considering new multi-emissions legislation that would require utilities to further reduce SO₂ and NO_x by 70 percent from 2002 levels and, for the first time, reduce mercury emissions from its coal-fired power plants; and

WHEREAS, this legislation would further improve Indianapolis's air quality and will go much farther than current regulations in addressing the number of non-attainment areas that are impeding economic growth in the state; and

WHEREAS, multi-emissions legislation would replace existing piecemeal regulation that is unnecessarily costly and frequently is challenged in the courts. Utilities will gain business certainty and emissions reductions will be made sooner and less expensively by relying on the proven market-based emissions trading to cut the cost of reducing emissions; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City County Council believes that multi-emissions legislation is good for the future of coal and for the jobs of thousands of Hoosiers who depend on its use to generate electricity.

SECTION 2. The Council urges Congress to pass multi-emissions legislation that will further reduce SO₂ and NO_x and, for the first time, mercury from the nation's coal-fired power plants.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal Nos. 768, 771, 772, 780, 783, and 784, 2004 and Proposal No. 107, 2005 on March 8, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 768, 2004. The proposal, sponsored by Councillor Brown, appoints Lakeisha Jackson to the Citizens Advisory Committee for Warren Township Comprehensive Plan. PROPOSAL NO. 771, 2004. The proposal, sponsored by Councillors Cain and Borst, appoints Ken Pendleton to the Citizens Advisory Committee for Lawrence Township Comprehensive Plan. PROPOSAL NO. 772, 2004. The proposal, sponsored by Councillors Cockrum and Borst, appoints Sue Ellen Collins to the Citizens Advisory Committee for Decatur Township Comprehensive Plan. PROPOSAL NO. 780, 2004. The proposal, sponsored by Councillors Boyd, Gray, Nytes and Sanders, appoints Jay VanSanten to the Citizens Advisory Committee for Center Township Comprehensive Plan. PROPOSAL NO. 783, 2004. The proposal, sponsored by Councillors Borst, Cockrum and Day, appoints John Braun to the Citizens Advisory Committee for Perry Township Comprehensive Plan. PROPOSAL NO. 784, 2004. The proposal, sponsored by Councillors Boyd, Gray and Sanders, appoints Francette Calvin to the Citizens Advisory Committee for Washington Township Comprehensive Plan. PROPOSAL NO. 107, 2005. The proposal, sponsored by Councillors Gray and Bowes, appoints Sandra Parker to the Citizens Advisory Committee for Pike Township Comprehensive Plan. By 8-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Boyd moved, seconded by Councillor Gray, for adoption. Proposal Nos. 768, 771, 772, 780, 783, and 784, 2004 and Proposal No. 107, 2005 were adopted on the following roll call vote; viz:

27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 NOT VOTING: Gibson

1 ABSENT: Mansfield

Proposal No. 768, 2004 was retitled COUNCIL RESOLUTION NO. 44, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 2005

A COUNCIL RESOLUTION appointing Lakeisha Jackson to the Citizens Advisory Committee for Warren Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Warren Township Comprehensive Plan, the Council appoints:

Lakeisha Jackson

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 771, 2004 was retitled COUNCIL RESOLUTION NO. 45, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 2005

A COUNCIL RESOLUTION appointing Ken Pendleton to the Citizens Advisory Committee for Lawrence Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Lawrence Township Comprehensive Plan, the Council appoints:

Ken Pendleton

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 772, 2004 was retitled COUNCIL RESOLUTION NO. 46, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 2005

A COUNCIL RESOLUTION appointing Sue Ellen Collins to the Citizens Advisory Committee for Decatur Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Decatur Township Comprehensive Plan, the Council appoints:

Sue Ellen Collins

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 780, 2004 was retitled COUNCIL RESOLUTION NO. 47, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 2005

A COUNCIL RESOLUTION appointing Jay VanSanten to the Citizens Advisory Committee for Center Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Center Township Comprehensive Plan, the Council appoints:

Jay VanSanten

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 783, 2004 was retitled COUNCIL RESOLUTION NO. 48, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 2005

A COUNCIL RESOLUTION appointing John Braun to the Citizens Advisory Committee for Perry Township Comprehensive Plan.

March 21, 2005

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Perry Township Comprehensive Plan, the Council appoints:

John Braun

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 784, 2004 was retitled COUNCIL RESOLUTION NO. 49, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 2005

A COUNCIL RESOLUTION appointing Francette Calvin to the Citizens Advisory Committee for Washington Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Washington Township Comprehensive Plan, the Council appoints:

Francette Calvin

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 107, 2004 was retitled COUNCIL RESOLUTION NO. 50, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 2005

A COUNCIL RESOLUTION appointing Sandra Parker to the Citizens Advisory Committee for Pike Township Comprehensive Plan.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Citizens Advisory Committee for Pike Township Comprehensive Plan, the Council appoints:

Sandra Parker

SECTION 2. The appointment made by this resolution is for a term ending as specified in Sec. 231-401(e) of the Revised Code of the Consolidated City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Councillor Mahern reported that the Metropolitan Development Committee heard Proposal Nos. 59 and 60, 2005 on February 14, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 59, 2005. The proposal, sponsored by Councillors Talley, Gray, Boyd and Mahern, reappoints Frank Hagaman to the Metropolitan Board of Zoning Appeals, Division III. PROPOSAL NO. 60, 2005. The proposal, sponsored by Councillors Boyd, Gray, Talley and

Mahern, reappoints K. Diane Guthrie to the Metropolitan Board of Zoning Appeals, Division III. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Mahern moved, seconded by Councillor Gray, for adoption. Proposal Nos. 59 and 60, 2005 were adopted by a unanimous voice vote.

Proposal No. 59, 2005 was retitled COUNCIL RESOLUTION NO. 51, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 51, 2005

A COUNCIL RESOLUTION reappointing Frank Hagaman to the Metropolitan Board of Zoning Appeals, Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division III, the Council reappoints:

Frank Hagaman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

Proposal No. 60, 2005 was retitled COUNCIL RESOLUTION NO. 52, 2005, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 52, 2005

A COUNCIL RESOLUTION reappointing K. Diane Guthrie to the Metropolitan Board of Zoning Appeals, Division III.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Metropolitan Board of Zoning Appeals, Division III, the Council reappoints:

K. Diane Guthrie

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2005. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

PROPOSAL NO. 64, 2005. Councillor Nytes reported that the Administration and Finance Committee heard Proposal No. 64, 2005 on February 22, 2005. The proposal, sponsored by Councillors Gray, Talley, Sanders and Brown, appoints Michael Rodman to the Information Technology Board. By a 4-2 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor McWhirter moved, seconded by Councillor Schneider to amend, Proposal No. 64, 2005 to insert the name Martha Womacks in place of Michael Rodman.

Councillor Sanders moved, seconded by Councillor Gibson, to table Proposal No. 64, 2005. The motion to table failed on the following roll call vote; viz:

March 21, 2005

14 YEAS: Abdullallah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Mahern, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders, Talley
14 NAYS: Borst, Bradford, Cain, Cockrum, Day, Franklin, Keller, Langsford, McWhirter, Plowman, Randolph, Salisbury, Schneider, Speedy
0 NOT VOTING:
1 ABSENT: Mansfield

Councillor Sanders said that she understood in order for an amendment to be considered, each member of Council should have a copy before them. General Counsel Aaron Haith, Parliamentarian, stated that the Code only requires that an amendment be in writing and that copies be presented to the President and the Clerk. He said that the body can decide whether or not to act on it. President Talley said ruled that the amendment is not properly before the Council. Councillor Borst stated that amendments have always been done this way, and he moved, seconded by Councillor Schneider, to overrule the chair's decision. President Talley called for a vote and stated that a "yea" vote will uphold the chair's decision, and a "nay" vote will be in favor of overturning the chair's decision. The chair's decision was overturned on the following roll call vote; viz:

13 YEAS: Abdullallah, Bowes, Boyd, Brown, Conley, Gibson, Gray, Mahern, Moriarty Adams, Nytes, Oliver, Sanders, Talley
15 NAYS: Borst, Bradford, Cain, Cockrum, Day, Franklin, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy
0 NOT VOTING:
1 ABSENT: Mansfield

Councillor Gibson moved, seconded by Councillor Bowes, for a brief recess. The motion to recess carried on the following roll call vote; viz:

15 YEAS: Abdullallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Langsford, Mahern, Moriarty Adams, Nytes, Oliver, Sanders, Talley
13 NAYS: Borst, Bradford, Cain, Cockrum, Day, Keller, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy
0 NOT VOTING:
1 ABSENT: Mansfield

President Talley called for a brief recess at 8:26 p.m.

President Talley reconvened the City-County Council at 8:41 p.m.

President Talley asked Councillor McWhirter to restate her amendment. Councillor McWhirter moved, seconded by Councillor Schneider, to amend Proposal No. 64, 2005 to substitute the name Martha Womacks for Michael Rodman. The motion to amend failed on the following roll call vote; viz:

14 YEAS: Borst, Bradford, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Salisbury, Schneider, Speedy
14 NAYS: Abdullallah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Moriarty Adams, Nytes, Oliver, Sanders, Talley
0 NOT VOTING:
1 ABSENT: Mansfield

Councillor Gray moved, seconded by Councillor Gibson, to return the proposal to Committee. President Talley asked Councillor Boyd if he would be willing to hear the proposal again in Committee. Councillor Boyd said that he would. Councillor McWhirter said that the proposal

was originally before the Administration and Finance Committee. President Talley stated that he will be referring it instead to the Rules and Public Policy Committee. He asked for a show of hands of at least eight members who would prefer that it be sent to Committee. Seeing sufficient hands, Proposal No. 64, 2005 was returned to Committee for further discussion.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 108, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves a grant application submitted to the Department of Corrections for fiscal years 2005-2007"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 109, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$342,342 in the 2005 Budget of the Marion County Community Corrections Agency (State & Federal Grants Fund) to fund supplies, services, and capital expenses related to the initial start-up of the work release center, funded by a grant from Department of Corrections"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 110, 2005. Introduced by Councillor Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$35,820 in the 2005 Budget of the Marion County Community Corrections Agency (State & Federal Grants Fund) to fund services for a substance abuse treatment program, funded by a grant from the Department of Justice, Indiana Criminal Justice Agency"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 111, 2005. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$21,900 in the 2005 Budget of the Marion Superior Court (State & Federal Grants Fund) to pay expenses for marketing displays, van graphics, website upgrades, rent, utilities & maintenance costs for the Community Court, funded by a grant from Department of Justice, Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 112, 2005. Introduced by Councillors Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$7,775 in the 2005 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to pay for 93 vinyl-coated resting benches for dog runs in the shelter's investigation kennel, financed by private donations"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 113, 2005. Introduced by Councillors Talley, Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer of \$20,995 in the 2005 Budget of the Department of Public Safety, Emergency Management Division (Non-Lapsing Federal Grants Funds), to purchase personal protection equipment financed by a transfer between characters"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 114, 2005. Introduced by Councillors Talley, Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves a transfer and an appropriation of \$180,847 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants and Federal Grants Funds), to continue support of

the Family Justice Center Initiative with the Julian Center and training for all agencies involved in this project, fund overtime for the East and South Districts, supplies, travel and training, and surveillance equipment for the East and South District Neighborhood Resource Officers, to fund overtime for Gang Resistance Education and Training (G.R.E.A.T.) officers, supplies and incentives for G.R.E.A.T kids, travel and training for G.R.E.A.T officers and transportation and meals for G.R.E.A.T camp, to fund overtime for seat belt enforcement and DUI enforcement through the Marion County Traffic Safety Partnership, to fund increased outreach initiatives for the Indiana Coalition Against Sexual Assault (INCASA), and to purchase surveillance equipment for the Community Action Response and Enforcement Initiative in the North District, financed by grants from the State of Indiana and the Federal Department of Justice, and a transfer between characters”; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 116, 2005. Introduced by Councillor Mansfield. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Meridian Park Estates, Sections 3, 4 and 5 (District 2)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 117, 2005. Introduced by Councillor Salisbury. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Berkshire Subdivision, Sections 1A, 2A, 1B and 2B (District 13)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 118, 2005. Introduced by Councillor Brown. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Longwood Glen Subdivision, Section 1 (District 18)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 119, 2005. Introduced by Councillor Brown. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Lappin Way Subdivision, Section 1 (District 18)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 120, 2005. Introduced by Councillor Langsford. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Creekside Meadows Subdivision, Section 1 (District 21)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 121, 2005. Introduced by Councillor Cockrum. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Decatur Ridge Subdivision, Sections 2 & 3 (District 22)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 122, 2005. Introduced by Councillor Speedy. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Sherman Commons Subdivision, Sections 1 and 2 (District 24)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 123, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: “A Proposal for a General Ordinance which authorizes intersection controls for the Burton Crossing Subdivision, Section 3 (District 25)””; and the President referred it to the Public Works Committee.

PROPOSAL NO. 124, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Franklin Meadows Subdivision (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 125, 2005. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes intersection controls for the Thompson Park Subdivision, Section 1 (District 25)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 126, 2005. Introduced by Councillors Talley, Borst and Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Steven L. Campbell as the Deputy Mayor for Public and Neighborhood Affairs"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Langsford made the following motion:

Mr. President:

I move that Proposal No. 133, 2005 (Rezoning Case 2004-ZON-123/2004-DP-008) be scheduled for a hearing before this Council at its regular meeting on April 25, 2005 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Cockrum seconded the motion, and Proposal No. 133, 2005 was scheduled for public hearing on April 25, 2005 and is identified as follows:

2004-ZON-123 (2004-DP-008)
9135 EAST RAYMOND STREET (*Approximate Address*), INDIANAPOLIS
WARREN TOWNSHIP, COUNCILMANIC DISTRICT #21
M/I HOMES, by Thomas Michael Quinn, requests a rezoning of 40 acres, being in the D-A District, to the D-P classification to provide for a mixed use development including a 36-acre single-family residential development at a density of 3.27 units per acre and a four-acre commercial development with limited C-3 uses.

Mr. Haith read the following announcement:

Mr. President:

This Council will hold a public hearing on Rezoning Petition No. 2004-ZON-123 (2004-DP-008), Council Proposal No. 133, 2005, at its regular meeting on April 25, 2005, such meeting to convene at 7:00 p.m. in these Council Chambers in the City-County Building in Indianapolis. This petition proposes to rezone 40 acres, being in the D-A District, to the D-P classification to provide for a mixed use development including a 36-acre single-family residential development at a density of 3.27 units per acre and a four-acre commercial development with limited C-3 uses.

Written objections that are filed with the Clerk of the Council shall be heard at such time, or the hearing may be continued from time to time as found necessary by the Council.

PROPOSAL NOS. 127-130, 2005, PROPOSAL NO. 131, 2005, and PROPOSAL NOS. 132 AND 134-140, 2005. Introduced by Councillor Mahern. Proposal Nos. 127-130, 2005, Proposal No. 131, 2005, and Proposal Nos. 132 and 134-140, 2005 are proposals for Rezoning Ordinances

certified by the Metropolitan Development Commission on March 11, 2005. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 21-33, 2005, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 21, 2005.

2004-ZON-135

1710 BADE ROAD (Approximate Address), INDIANAPOLIS

WARREN TOWNSHIP, COUNCILMANIC DISTRICT #21

LOYALTY INVESTMENTS, LLC, by Brian J. Tuohy, request a rezoning of 53.569 acres, being in the D-A (FF) District, to the D-2 (FF) classification to provide for residential development.

REZONING ORDINANCE NO. 22, 2005.

2004-ZON-156

3033 SOUTH MCCLURE STREET (Approximate Address), INDIANAPOLIS

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22

AUTO ZONE, by Stephen D. Mears, requests a rezoning of 0.47 acre, being in the D-5 (FF) District, to the C-4 (FF) classification to provide for commercial development.

REZONING ORDINANCE NO. 23, 2005.

2004-ZON-162

11420 EAST 75TH STREET (Approximate Address), CITY OF LAWRENCE

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT #12

TERRENCE P. FUNK requests a rezoning of 1.477 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development.

REZONING ORDINANCE NO. 24, 2005.

2004-ZON-170

8222 CAMBY ROAD (Approximate Address), INDIANAPOLIS

DECATUR TOWNSHIP, COUNCILMANIC DISTRICT # 22

CHRISTOPHER SNYDER, requests a rezoning of 1.95 acres, being in the D-A District, to the C-1 classification to provide for the construction of a day care facility.

REZONING ORDINANCE NO. 25, 2005.

2004-ZON-116

800 NORTH SHERMAN DRIVE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT #10

SPRINT SPECTRUM, L.P. requests a rezoning of 0.11 acre, being in the C-S District, to the C-S classification to legally establish a 90-foot monopole wireless communication tower and to provide for an extension of the tower to a height of 135 feet.

REZONING ORDINANCE NO. 26, 2005.

2004-ZON-093

2201 AND 3425 WEST SOUTHPORT ROAD, 7500 STATE ROAD 37, 2701 WEST STOP 11 ROAD, AND 8808 BLUFF ROAD (Approximate Addresses), INDIANAPOLIS

PERRY TOWNSHIP, COUNCILMANIC DISTRICT # 22.

METROPOLITAN DEVELOPMENT COMMISSION requests a rezoning of 1,023 acres, being in the D-P (GSB)(FW)(FF)(W-1) District, to the D-P (FW)(FF)(W-1) classification to provide for a map correction of rezoning case 97-Z-14 to remove all property from the Gravel Sand Borrow (GSB) classification.

REZONING ORDINANCE NO. 27, 2005.

2004-ZON-151

9623 PENDLETON PIKE (Approximate Address), CITY OF LAWRENCE

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 12

COHRON INVESTMENTS LLC, by Thomas Michael Quinn, requests a rezoning of 11.89 acres, being in the D-2 District, to the C-7 classification to provide for commercial uses.

REZONING ORDINANCE NO. 28, 2005.

2004-ZON-153

1002 NORTH MITTHOEFER ROAD (Approximate Address), INDIANAPOLIS
WARREN TOWNSHIP, COUNCILMANIC DISTRICT # 18

WELLINGTON DEVELOPMENT COMPANY, by Michael C. Cook and Michael Rabinowitch,
requests the rezoning of 0.5 acre, being in the D-2 District, to the C-3 classification to provide for
commercial development.

REZONING ORDINANCE NO. 29, 2005.

2004-ZON-167

1848 LUDLOW AVENUE (Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT #9.

VERTICAL PROPERTIES, LLC, by Thomas Michael Quinn, requests a rezoning of 2.9 acres,
being in the I-3-U District to the SU-9 classification to provide for a residential work release
facility for criminal offenders.

REZONING ORDINANCE NO. 30, 2005.

2004-ZON-168

6445 OLIVIA LANE (Approximate Address), INDIANAPOLIS
WARREN TOWNSHIP, COUNCILMANIC DISTRICT #17.

DYNALOY, LLC, by Eugene Valanzano, requests a rezoning of 7.795 acres, being in the C-S
Districts to the C-S classification to provide for I-2-S uses and a specialty chemical blending
business.

REZONING ORDINANCE NO. 31, 2005.

2004-ZON-844

6340 ROCKVILLE ROAD (Approximate Address), INDIANAPOLIS
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT #13

CELIA LAZARO, by David Kingen, requests a rezoning of 1.26 acres, being in the C-4 District, to
the C-S classification to provide for commercial development with C-1, C-2, and some C-3
permitted uses.

REZONING ORDINANCE NO. 32, 2005.

2004-ZON-855

135 SOUTH EAST STREET (Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

M.G.B., by J. Murray Clark, requests a rezoning of 5.261 acres, being in the I-4-U (RC) District, to
the CBD-2 (RC) classification.

REZONING ORDINANCE NO. 33, 2005.

2004-ZON-859

2510 TANSEL ROAD (Approximate Address), INDIANAPOLIS
WAYNE TOWNSHIP, COUNCILMANIC DISTRICT # 6.

DENNIS R. ROGERS, by Mitch Sever, requests a rezoning of 1.2 acres, being in the D-A District,
to the D-4 classification to provide for residential uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 5, 2005. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 5, 2005 on January 12, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$13,583 in the 2005 Budget of Marion Superior Court (County General Fund) to provide funds needed to cover matching funds for Child Advocates, Inc. Councillor Moriarty Adams moved, seconded by Councillor Oliver, to table Proposal No. 5, 2005. Proposal No. 5, 2005 was tabled by a unanimous voice vote.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 31, 49, 76, 78, 79, 80, and 83, 2005 on March 9, 2005. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 31, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$10,000 in the 2005 Budget of the Marion Superior Court, Juvenile Division (State and Federal Grants Fund), to continue to fund drug court costs. PROPOSAL NO. 49, 2005. The proposal, sponsored by Councillors Moriarty Adams, McWhirter and Talley, approves an increase of \$401,210 in the 2005 Budget of the Department of Public Safety, Emergency Management Division (Non-Lapsing State and Non-Lapsing Federal Grants Funds) to purchase equipment for the training of first responders and to continue to develop the Metropolitan Medical response System (MMRS), financed by grants from both the State and Federal Emergency Management Agencies. PROPOSAL NO. 76, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves an increase of \$61,136 in the 2005 Budget of the Marion County Justice Agency (Law Enforcement Fund) to cover additional expenses. PROPOSAL NO. 78, 2005. The proposal, sponsored by Councillor Borst, approves an increase of \$95,000 in the 2005 Budget of the Marion Superior Court (Adult Probation Fund) to pay approved expenses. PROPOSAL NO. 79, 2005. The proposal, sponsored by Councillor Borst, approves an increase of \$7,500 in the 2005 Budget of Marion Superior Court (County Grants Fund) to pay approved grant expenses, funded by a grant from Lilly Endowment, Inc. PROPOSAL NO. 80, 2005. The proposal, sponsored by Councillor Borst, approves an increase of \$20,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to pay approved grant expenses, funded by a grant from the Indiana Supreme Court. PROPOSAL NO. 83, 2005. The proposal, sponsored by Councillor McWhirter, approves an increase of \$11,896 in the 2005 Budget of the Marion County Prosecutor (State & Federal Grants Fund) to pay approved grant expenses, funded by a grant from U.S. Department of Justice, Weed & Seed Office. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Nytes said that she supports these proposals but has concerns about the amount of critical activity in the criminal justice agencies being funded by grant monies. She said that the Council should do an analysis of how some of these critical functions could be otherwise funded if the state cannot meet obligations in the future.

President Talley called for public testimony at 9:02 p.m. There being no one present to testify, Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 31, 49, 76, 78, 79, 80, and 83, 2005 were adopted on the following roll call vote; viz:

27 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 NOT VOTING: Franklin

1 ABSENT: Mansfield

Proposal No. 31, 2005 was retitled FISCAL ORDINANCE NO. 25, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 25, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Ten Thousand Dollars (\$10,000) in the State and Federal Grants Fund for purposes of the Marion County Superior Court, Juvenile Division, and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases

and reductions hereinafter stated for purposes of the Marion Superior Court, Juvenile Division, to continue to fund drug court costs.

SECTION 2. The sum of an additional Ten Thousand Dollars (\$10,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION SUPERIOR COURT, JUVENILE DIVISION</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---|--------------------------------------|
| 3. Other Services and Charges | <u>10,000</u> |
| TOTAL INCREASE | 10,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| State and Federal Grants Fund | <u>10,000</u> |
| TOTAL REDUCTION | 10,000 |

SECTION 5. No local match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 49, 2005 was retitled FISCAL ORDINANCE NO. 26, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 26, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Four Hundred One Thousand Two Hundred Ten Dollars (\$401,210) in the Non-Lapsing State and Non-Lapsing Federal Grants Funds for purposes of the Department of Public Safety, Police Division, and reducing the unappropriated and unencumbered balance in the Federal Grants and Non-Lapsing Federal Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Emergency Management and Planning Division to purchase equipment for the training of first responders and to continue to develop the Metropolitan Medical response System (MMRS), financed by a grants from both the State and Federal Emergency Management Agencies.

SECTION 2. The sum of Four Hundred One Thousand Two Hundred Ten Dollars (\$401,210) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>DEPARTMENT OF PUBLIC SAFETY</u> | |
|--|--|
| <u>EMERGENCY MANAGEMENT AND PLANNING DIV</u> | <u>NON-LAPSING FEDERAL GRANTS FUND</u> |
| 2. Supplies | 111,883 |
| 3. Other Services and Charges | 188,117 |
| 4. Capital Outlay | <u>100,000</u> |
| TOTAL INCREASE | 400,000 |

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DEPARTMENT OF PUBLIC SAFETY

EMERGENCY MANAGEMENT AND PLANNING DIV

NON-LAPSING STATE GRANTS FUND

| | |
|-------------------|--------------|
| 4. Capital Outlay | <u>1,210</u> |
| TOTAL INCREASE | 1,210 |

SECTION 4. The said additional appropriation is funded by the following reductions:

NON-LAPSING FEDERAL GRANTS FUND

| | |
|---------------------------------|----------------|
| Unappropriated and Unencumbered | |
| Non-Lapsing Federal Grants Fund | <u>400,000</u> |
| TOTAL REDUCTION | 400,000 |

NON-LAPSING STATE GRANTS FUND

| | |
|---------------------------------|--------------|
| Unappropriated and Unencumbered | |
| Non-Lapsing State Grants Fund | <u>1,210</u> |
| TOTAL REDUCTION | 1,210 |

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 76, 2005 was retitled FISCAL ORDINANCE NO. 27, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 27, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 138, 2004) appropriating an additional Fifty-four Three Hundred Eighty-six Dollars (\$54,386) in the State Law Enforcement Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the Law Enforcement Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (d) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of Marion County Justice Agency to pay maintenance and gasoline cost for the Failure to Appear unit, purchase of tasers and catridges.

SECTION 2. The sum of Fifty-four Three Hundred Eighty-six Dollars (\$54,386) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

MARION COUNTY JUSTICE AGENCY

LAW ENFORCEMENT FUND

| | |
|-----------------------------|--------------|
| 2. Supplies | 44,586 |
| 3. Other Services & Charges | <u>9,800</u> |
| TOTAL INCREASE | 54,386 |

SECTION 4. The said additional appropriation is funded by the following reductions:

LAW ENFORCEMENT FUND

| | |
|---------------------------------|---------------|
| Unappropriated and Unencumbered | |
| Law Enforcement Fund | <u>54,386</u> |
| TOTAL REDUCTION | 54,386 |

SECTION 5. The projected December 31, 2005, fund balance for the Law Enforcement Fund is as follows:

| | |
|--|---------------|
| Cash balance 1/1/05 | \$1,291,863 |
| Less Vouchers Payable | 12,137 |
| 1/1/05 Available fund balance | 1,279,726 |
| Estimated 2005 revenues | 640,000 |
| Less 2005 appropriations | 882,860 |
| Less additional appropriation | <u>54,386</u> |
| Projected fund balance December 31, 2005 | 968,980 |

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 78, 2005 was retitled FISCAL ORDINANCE NO. 28, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 28, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional Ninety-five Thousand Dollars (\$95,000) in the Adult Probation Fund for purposes of the Marion Superior Court, and reducing the unappropriated and unencumbered balance in the Adult Probation Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of appropriating money to cover current expenses as a result of budget cuts.

SECTION 2. The sum of Ninety five Thousand Dollars (\$95,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>ADULT PROBATION FUND</u> |
|------------------------------|-----------------------------|
| 2. Supplies | 1,000 |
| 3. Other Services & Charges | 45,000 |
| 4. Capital Outlay | <u>49,000</u> |
| TOTAL INCREASE | 95,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>ADULT PROBATION FUND</u> |
|---|-----------------------------|
| Unappropriated and Unencumbered ADULT PROBATION FUND | <u>95,000</u> |
| TOTAL REDUCTION | 95,000 |

SECTION 5. The projected December 31, 2005, fund balance for the Adult Probation Fund is as follows:

| | |
|---------------------------------|---------------|
| Cash balance 1/1/05 | \$1,215,432 |
| Less vouchers payable | 4,525 |
| 1/1/05 Available fund balance | 1,210,907 |
| Estimated Revenue 2005 | 2,510,280 |
| Less 2005 appropriations | 2,602,655 |
| Less additional appropriation | <u>95,000</u> |
| Projected 12/31/05 fund balance | \$1,023,532 |

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 79, 2005 was retitled FISCAL ORDINANCE NO. 29, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 29, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional Seven Thousand Five Hundred Dollars (\$7,500) in the County Grant Fund for purposes of the Marion Superior Court, and reducing the unappropriated and unencumbered balance in the County Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of appropriating money to cover conference cost "Putting the Pieces Together"

SECTION 2. The sum of Seven Thousand Five Hundred Dollars (\$7,500) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>COUNTY GRANTS FUND</u> |
|------------------------------|---------------------------|
| 3. Other Services & Charges | <u>7,500</u> |
| TOTAL INCREASE | 7,500 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>COUNTY GRANTS FUND</u> |
|---------------------------------|---------------------------|
| Unappropriated and Unencumbered | |
| County Grants Fund | <u>7,500</u> |
| TOTAL REDUCTION | 7,500 |

SECTION 5. No Local Match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 80, 2005 was retitled FISCAL ORDINANCE NO. 30, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 30, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional Twenty Thousand Dollars (\$20,000) in the State and Federal Grants Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of covering salary and fringe cost for Family Court Project Coordinator.

SECTION 2. The sum of Twenty Thousand Dollars (\$20,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|------------------------------|--------------------------------------|
| 1. Personal Services | <u>20,000</u> |
| TOTAL INCREASE | 20,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|-------------------------------|--------------------------------------|
| Unappropriated Unencumbered | |
| State and Federal Grants Fund | <u>20,000</u> |
| TOTAL REDUCTION | 20,000 |

SECTION 5. No Local Match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 83, 2005 was retitled FISCAL ORDINANCE NO. 31, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 31, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) appropriating an additional Eleven Thousand Eight Hundred Ninety-six Dollars (\$11,896) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of funding a portion of the Special Projects Coordinator position for Nuisance Abatement /Narcotic Eviction, landlord training, materials and further development of the Tidemark database.

SECTION 2. The sum of Eleven Thousand Eight Hundred Ninety-six Dollars (\$11,896) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY PROSECUTOR</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| 1. Personal Services | 6,500 |
| 1. Personal Services - Fringes | 996 |
| 2. Supplies | 1,000 |
| 3. Other Services & Charges | 2,400 |
| 4. Capital Outlay | <u>1,000</u> |
| TOTAL INCREASE | 11,896 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| State and Federal Grant Fund | <u>11,896</u> |
| TOTAL REDUCTION | 11,896 |

SECTION 5. No Local Match

SECTION 6. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 69, 2005. Councillor Nytes reported that the : Economic Development Committee heard Proposal No. 69, 2005 on March 16, 2005. The proposal, sponsored by Councillors Mahern, Abdullah and Langsford, approves an increase of \$467,000 in the 2005 Budget of the Department of Metropolitan Development, Administration Division (Non-Lapsing State Grants Funds) to fund building construction activities proposed at 16th & MLK and enable a life sciences company to locate in this area, financed by a State of Indiana Technology Development Grant and an Indiana Development Finance Authority Grant. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley called for public testimony at 9:05 p.m. There being no one present to testify, Councillor Nytes moved, seconded by Councillor Mahern, for adoption. Proposal No. 69, 2005 was adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
0 NAYS:
2 NOT VOTING: Franklin, Gibson
1 ABSENT: Mansfield

Proposal No. 69, 2005 was retitled FISCAL ORDINANCE NO. 32, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 32, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Four Hundred Sixty-seven Thousand Dollars (\$467,000) in the Non-Lapsing State Grants Fund for purposes of the Department of Metropolitan Development, Administration Division, and reducing certain other appropriations for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section (i) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Administration Division, to fund building construction activities proposed for gateways into the downtown Certified Technology Park, Stadium Drive and 16th St. and MLK, to enable major life science companies to locate in the CTP, financed by a State of Indiana Technology Development Grant, and for environmental remediation for 2866 N. Capitol St., financed by a grant from the Indiana Development Finance Authority.

SECTION 2. The sum of Four Hundred Sixty-seven Thousand Dollars (\$467,000) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> | |
|---|--------------------------------------|
| <u>ADMINISTRATION DIVISION</u> | <u>NON-LAPSING STATE GRANTS FUND</u> |
| 3. Other Services and Charges | <u>467,000</u> |
| TOTAL INCREASE | 467,000 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| | <u>NON-LAPSING STATE GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| Unappropriated and Unencumbered | |
| Non-Lapsing State Grants Fund | <u>467,000</u> |
| TOTAL REDUCTION | 467,000 |

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This non-lapsing appropriation shall be in addition to all appropriations provided for in the regular budget and levy, and shall continue in effect until the completion of the program described in section 1 above.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 70, 2005. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 70, 2005 on March 14, 2005. The proposal, sponsored by Councillors Mahern, Nytes, Keller, Oliver and Pfisterer, approves a transfer and an increase of \$3,495,300 in the 2005 Budget of the Department of Metropolitan Development, Community Development Division (Redevelopment General and Federal Grants Funds) to fund housing development costs, acquisitions of the properties at Fall Creek Place, direct homeownership assistance, and to acquire and rehabilitate homes to be sold to low-moderate income homeowners, financed by federal grant program revenues, Community Development Block Grant funding, the Home Investment Partnership Program (HOME) grant, and a transfer between characters. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley called for public testimony at 9:12 p.m. There being no one present to testify, Councillor Mahern moved, seconded by Councillor Nytes, for adoption. Proposal No. 70, 2005 was adopted on the following roll call vote; viz:

27 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Speedy, Talley*
1 NAY: *Schneider*
1 ABSENT: *Mansfield*

Proposal No. 70, 2005 was retitled FISCAL ORDINANCE NO. 33, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 33, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) transferring and appropriating an additional Three Million Four Hundred and Ninety Five Thousand Three Hundred Dollars (\$3,495,300) in the Redevelopment General and Federal Grants Funds for purposes of the Department of Metropolitan Development, Community Development Division and reducing certain other appropriations for that agency.

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BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section (i) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Department of Metropolitan Development, Community Development Division to fund housing development costs, acquisitions of the properties at Fall Creek Place, direct homeownership assistance, and to acquire and rehabilitate homes to be sold to low-moderate income homeowners, financed by federal grant program revenues, Community Development Block Grant funding, the Home Investment Partnership Program (HOME) grant, and a transfer between characters.

SECTION 2. The sum of Three Million Four Hundred and Ninety Five Thousand Three Hundred Dollars (\$3,495,300) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

| | |
|--|----------------------------|
| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY DEVELOPMENT DIVISION</u> | <u>FEDERAL GRANTS FUND</u> |
| 3. Other Services and Charges | 3,425,300 |
| 4. Capital Outlay | <u>30,000</u> |
| TOTAL INCREASE | 3,455,300 |

| | |
|--|-----------------------------------|
| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY DEVELOPMENT DIVISION</u> | <u>REDEVELOPMENT GENERAL FUND</u> |
| 4. Capital Outlay | <u>40,000</u> |
| TOTAL INCREASE | 40,000 |

SECTION 4. The said increased appropriation is funded by the following reductions:

| | |
|---------------------------------|----------------------------|
| | <u>FEDERAL GRANTS FUND</u> |
| Unappropriated and Unencumbered | |
| Federal Grants Fund | <u>3,455,300</u> |
| TOTAL REDUCTION | 3,455,300 |

| | |
|--|-----------------------------------|
| <u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u> <u>COMMUNITY DEVELOPMENT DIVISION</u> | <u>REDEVELOPMENT GENERAL FUND</u> |
| 3. Other Services and Charges | <u>40,000</u> |
| TOTAL DECREASE | 40,000 |

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Gray reported that the Parks and Recreation Committee heard Proposal Nos. 71 and 72, 2005 on March 10, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 71, 2005. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$46,500 in the 2005 Budget of the Department of Parks and Recreation (Park General Fund) to fund reforestation, remove an invasive shrub species and to re-seed with native grasses at Eagle Creek Park, financed by a grant from IPALCO and revenues from a management agreement with TE Products Pipeline Company (TEPPCO). PROPOSAL NO. 72, 2005. The proposal, sponsored by Councillors Gray and Cockrum, approves an increase of \$5,000 in the 2005 Budget of the Department of Parks and Recreation (Park General Fund) to train youth sports coaches to provide positive and well-managed youth sports teams, financed by

an award from the 2004 Sports Illustrated and National Recreation and Park Association "Sports City USA" competition. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Talley called for public testimony at 9:13 p.m. There being no one present to testify, Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal Nos. 71 and 72, 2005 were adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

2 NOT VOTING: *McWhirter, Plowman*

1 ABSENT: *Mansfield*

Proposal No. 71, 2005 was retitled FISCAL ORDINANCE NO. 34, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 34, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Forty-six Thousand Five Hundred Dollars (\$46,500) in the Park General Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to fund reforestation, remove an invasive shrub species and to re-seed with native grasses at Eagle Creek Park, financed by a grant from IPALCO and revenues from a management agreement with TE Products Pipeline Company (TEPPCO).

SECTION 2. The sum of Forty-six Thousand Five Hundred Dollars (\$46,500) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>DEPARTMENT OF PARKS AND RECREATION</u> | <u>PARK GENERAL FUND</u> |
|---|--------------------------|
| 3. Other Services and Charges | <u>46,500</u> |
| TOTAL INCREASE | 46,500 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>PARK GENERAL FUND</u> |
|---------------------------------|--------------------------|
| Unappropriated and Unencumbered | |
| Park General Fund | <u>46,500</u> |
| TOTAL REDUCTION | 46,500 |

SECTION 5. The projected December 31, 2005, fund balance for the Park General Fund is as follows:

| | |
|---|-------------------|
| Cash Balance as of end of January, 2005 | 3,714,281 |
| Estimated remaining revenues to be received this year | <u>25,725,020</u> |
| Total Funds Available | 29,439,301 |

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| | |
|--|---------------|
| 2005 remaining CY and PY appropriations end of Jan. 2005 | 25,745,974 |
| Additional appropriations approved since end of Jan 2005 | 1,000,000 |
| Other pending additional appropriations | 5,000 |
| Proposed additional appropriation (this proposal) | <u>46,500</u> |
| Total Requirements | 26,797,474 |

| | |
|---|------------------|
| Estimated Fund Balance December 31, 2005 | 2,641,827 |
|---|------------------|

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 72, 2005 was retitled FISCAL ORDINANCE NO. 35, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 35, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Five Thousand Dollars (\$5,000) in the Park General Fund for purposes of the Department of Parks and Recreation, and reducing the unappropriated and unencumbered balance in the Park General Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(l) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Parks and Recreation to train youth sports coaches to provide positive and well-managed youth sports teams, financed by an award from the 2004 Sports Illustrated and National Recreation and Park Association "Sports City USA" competition.

SECTION 2. The sum of Five Thousand Dollars (\$5,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>DEPARTMENT OF PARKS AND RECREATION</u> | <u>PARK GENERAL FUND</u> |
|---|--------------------------|
| 3. Other Services and Charges | <u>5,000</u> |
| TOTAL INCREASE | 5,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| | <u>PARK GENERAL FUND</u> |
|---------------------------------|--------------------------|
| Unappropriated and Unencumbered | |
| Park General Fund | <u>5,000</u> |
| TOTAL REDUCTION | 5,000 |

SECTION 5. The projected December 31, 2005, fund balance for the Park General Fund is as follows:

| | |
|--|-------------------|
| Cash Balance as of end of January, 2005 | 3,714,281 |
| Estimated remaining revenues to be received this year | <u>25,725,020</u> |
| Total Funds Available | 29,439,301 |
| 2005 remaining CY and PY appropriations end of Jan. 2005 | 25,745,974 |
| Additional appropriations approved since end of Jan 2005 | 1,000,000 |
| Other pending additional appropriations | 46,500 |
| Proposed additional appropriation (this proposal) | <u>5,000</u> |
| Total Requirements | 26,797,474 |

| | |
|---|------------------|
| Estimated Fund Balance December 31, 2005 | 2,641,827 |
|---|------------------|

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 47, 2005. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 47, 2005 on March 14, 2005. The proposal, sponsored by Councillor Day, transfers territory from the Consolidated City of Indianapolis to the City of Beech Grove. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mahern moved, seconded by Councillor Day, for adoption. Proposal No. 47, 2005 was adopted on the following roll call vote; viz:

27 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 NOT VOTING: Brown

1 ABSENT: Mansfield

Proposal No. 47, 2005 was retitled GENERAL ORDINANCE NO. 10, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 2005

A proposal for a general ordinance disannexing territory from the Consolidated City of Indianapolis to be annexed by the City of Beech Grove pursuant to I.C. 36-3-2-7.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:**

SECTION 1. Pursuant to I.C. 36-3-2-7, the owners of the real estate described in Section 2 of the ordinance having petitioned the City of Indianapolis to disannex such territory and having petitioned the City of Beech Grove to annex such territory, the transfer of such territory from the Consolidated City of Indianapolis to the City of Beech Grove is hereby approved, to be effective as set forth in Section 3 below.

SECTION 2. Sec. 111-1 of the "Revised Code of the Consolidated City" be and is hereby amended to reflect the change in boundaries of the Consolidated City by adding a new paragraph (8) reading as follows:

"(8) Disannexation to City of Beech Grove. The following territory is transferred to the City of Beech Grove:

A part of the Southeast Quarter and a part of the Northeast Quarter of Section 21 Township 15 North Range 4 East of the Second Principal Meridian, Marion County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of Section 21 Township 15 North Range 4 East thence North 00 Degrees minutes 00 seconds East (assumed bearing) 1447.72 feet with the east line of said Southeast Quarter thence South 90 Degrees 00 Minutes 00 seconds West 234.99 feet, measured perpendicularly to said East line to the POINT OF BEGINNING of the property herein described. Hence with the Northerly line of Subway Street South 83 degrees 43 minutes 33 seconds West 192.88 feet thence, South 89 degrees 50 minutes 56 seconds West 571.84 feet thence South 80 degrees 24 minutes 52 seconds West 148.58 feet thence South 49 degrees 17 minutes 17 seconds West 86.20 feet thence, leaving the Northerly line of said Subway Street North 40 degrees 07 minutes 49 seconds East 460.32 feet thence North 49 Degrees 53 minutes 46 seconds West 1286.00 feet to the center line of Lick Creek thence. With said center line North 50 degrees 06 minutes 14 seconds East 355.00 feet thence North 27 degrees 06 minutes 14 seconds East 273.00 feet thence, North 59 degrees 06 minutes 14 seconds East 235.93 feet thence leaving said center line South 49 degrees 48 minutes 41 seconds East 1502.48 feet to the Westerly line of Emerson Ave thence with said Westerly line South 08 degrees 13 minutes 56 seconds West 140.64 feet thence South 05 degrees 47 minutes 46 seconds West 266.77 feet thence South 05 degrees 44 minutes 06

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seconds West 271.16 feet thence South 22 degrees 35 minutes 56 seconds West 27.06 feet to the Point of Beginning. Containing 35.62 acres (+/-).”

SECTION 3. This ordinance shall be in full force and effect upon the following: (a) the adoption of this Ordinance by the City-County Council and compliance with IC 36-3-4-14; (b) the adoption of an Ordinance by the Common Council of the City of Beech Grove approving the annexation of the real estate described in Section 2 by Beech Grove; (c) the filing of this Ordinance with the Office of the Indiana Secretary of State and the Marion County Circuit Court Clerk in accordance with I.C. 36-3-2-7(f); and (d) the filing of the Beech Grove Ordinance with the Secretary of State and the Marion County Circuit Court Clerk in accordance with I.C. 36-3-2-7(f), whichever last occurs. The filings described in Sections 3(c) and 3(d) shall not occur unless the City of Beech Grove accepts and acquires legal title to a portion of the real estate described in Section 2 consisting of not less than eighteen (18) acres.

SECTION 4. The City of Indianapolis and the City of Beech Grove intend to enter into an Agreement Regarding Annexation and Disannexation a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference. The Clerk shall maintain custody of the Ordinance in accordance with the terms and conditions of the Agreement Regarding Annexation and Disannexation.

SECTION 5. This ordinance addresses the disannexation/annexation process provided for in I.C. 36-3-2-7 and shall in no way require Beech Grove to take legal title to any of the territory described in Section 2, provided however, that the disannexation shall not occur unless the provisions of Section 3 above have been satisfied.

PROPOSAL NO. 67, 2005. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 67, 2005 on March 15, 2005. The proposal, sponsored by Councillors Gray, Talley, Randolph and Keller, amends the City's Minority Business Enterprises and Women Business Enterprises Program goals. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Talley said that he has asked Councillor Gray to work with the county agencies to make sure they are also on the same page in this goal. Councillor Gray said that he has spoken with County Auditor Martha Womacks and has begun discussions and hopes to also bring the county into compliance in this area.

Councillor Gibson commended Mayor Bart Peterson and Brenda Burke, Director of the Department of Administration, for their support on this issue. He said as chair of the Municipal Corporations Committee, he is committed to working with those corporations to also further define and enhance their policies in this area.

Councillor Randolph asked if this proposal makes any distinction between locally owned businesses and those out of state. Ms. Burke said that the proposal does not include this information, but buying local is what the City prefers. She said that out of the 600+ minority and women-owned businesses registered with the city, maybe 10 or 20 are outside of Indianapolis. Councillor Randolph said that Proposal No. 42, 2005 is what he would consider a sibling proposal to this one and is part of a family of good ideas. He said that he hopes Proposal No. 42, 2005 can pass as easily, because it is hard for him to support using minority or women-owned businesses outside of Indiana.

Councillor Brown stated that this proposal is long overdue and it is good business to help minority and women-owned businesses no matter where they are located.

Councillor Sanders moved, seconded by Councillor Gray, for adoption. Proposal No. 67, 2005 was adopted on the following roll call vote; viz:

23 YEAS: *Abduallah, Borst, Bowes, Boyd, Brown, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Sanders, Talley*

5 NAYS: *Bradford, Cain, Salisbury, Schneider, Speedy*

0 NOT VOTING:

1 ABSENT: *Mansfield*

Proposal No. 67, 2005 was retitled GENERAL ORDINANCE NO. 11, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 2005

PROPOSAL FOR A GENERAL ORDINANCE to amend Section 581-101 of the "Revised Code of the Consolidated City and County" to increase the goal set for utilization of minority-owned businesses and to codify the goal for women-owned businesses.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 581-101 of the "Revised Code of the Consolidated City and County," regarding human relations and equal opportunity, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 581-101. Findings and purposes.

(a) The council finds that the practice of denying equal opportunities in employment, education, access to and use of public accommodations, and acquisition of real estate based on race, color, religion, ancestry, national origin, handicap, or sex is contrary to the principles of freedom and equality of opportunity and is a burden to the objectives of the policies contained herein and shall be considered discriminatory practices.

(b) It is the purpose of this chapter to carry out the following policies of the city and county:

- (1) To provide equal employment opportunity in all city and county jobs without regard to race, color, religion, handicap, national origin, ancestry, age, sex, disabled veteran, or Vietnam era veteran status;
- (2) To encourage the hiring of the handicapped in both the public and the private sectors and to provide equal access to the handicapped to public accommodations;
- (3) To utilize ~~minority-owned businesses~~, securing minority business enterprises (MBEs) for public works projects, procurement of goods and services for the city and county in a dollar amount equal to at least ~~ten (10)~~ fifteen (15) percent of monies spent by the city and county;
- (4) To utilize ~~women-owned businesses and encourage the utilization of women in construction and industry~~ women business enterprises (WBEs) for public works projects, procurement of goods and services for the city and county in a dollar amount equal to at least eight (8) percent of monies spent by the city and county;
- (5) To protect employers, labor organizations, employment agencies, property owners, real estate brokers, builders, lending institutions, governmental and educational agencies and other persons from unfounded charges of discrimination;
- (6) To provide all citizens of the city and county equal opportunity for education, employment, and access to public accommodations without regard to race, religion, color, handicap, sex, national origin, ancestry, age, or disabled veteran or Vietnam era veteran status; and
- (7) To provide all citizens of the city and county equal opportunity for acquisition through purchase or rental of real property including, but not limited to, housing without regard to race, sex, religion or national origin.

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SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 73, 75, 77, 81, and 82, 2005 on March 9, 2005. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 73, 2005. The proposal, sponsored by Councillors Moriarty Adams and Talley, approves a transfer of \$ 6,000 in the 2005 Budget of Marion County Sheriff's Department (State & Federal Grants Fund) to pay approved grant expenses, funded by a grant from U.S. Department of Justice, Block Grant # 8. PROPOSAL NO. 75, 2005. The proposal, sponsored by Councillor Franklin, approves a transfer of \$ 12,000 in the 2005 Budget of the Marion County Forensic Services Agency (State & Federal Grants Fund) to pay approved grant expenses, funded by a grant from the U.S. Department of Justice, DNA Backlog Reduction Formula Grant Program. PROPOSAL NO. 77, 2005. The proposal, sponsored by Councillor Moriarty Adams, approves a transfer of \$17,550 in the 2005 Budget of the Marion County Justice Agency (State & Federal Grants Fund) to pay approved grant expenses, funded by a grant from U.S. Department of Justice, Project Safe Neighborhoods. PROPOSAL NO. 81, 2005. The proposal, sponsored by Councillor Borst, approves a transfer of \$100,000 in the 2005 Budget of the Marion Superior Court (County General Fund) to pay approved expenses. PROPOSAL NO. 82, 2005. The proposal, sponsored by Councillor McWhirter, approves a transfer of \$7,698 in the 2005 Budget of the Marion County Prosecutor (State & Federal Grants Fund) to pay approved grant expenses, funded by a grant from the U.S. Department of Justice, Weed & Seed Office. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Moriarty Adams moved, seconded by Councillor McWhirter, for adoption. Proposal Nos. 73, 75, 77, 81, and 82, 2005 were adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley
0 NAYS:
2 NOT VOTING: Brown, Randolph
1 ABSENT: Mansfield

Proposal No. 73, 2005 was retitled FISCAL ORDINANCE NO. 36, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 36, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 138, 2004) transferring and appropriating an additional Six Thousand Dollars (\$6,000) in the State & Federal Grants Fund for purposes of the Marion County Sheriff's Department and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (b) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of transferring money between characters to pay expenses for SWAT team equipment and shipping costs .

SECTION 2. The sum of Six Thousand Dollars (\$6,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY SHERIFF</u> | <u>STATE & FEDERAL GRANTS FUND</u> |
|------------------------------|--|
| 3. Other Services & Charges | 1,000 |
| 4. Capital Outlay | <u>5,000</u> |
| TOTAL INCREASE | 6,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>MARION COUNTY SHERIFF</u> | <u>STATE & FEDERAL GRANTS FUND</u> |
|------------------------------|--|
| 2. Supplies | <u>6,000</u> |
| TOTAL REDUCTION | 6,000 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 75, 2005 was retitled FISCAL ORDINANCE NO. 37, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 37, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 138, 2004) transferring and appropriating an additional Twelve Thousand Dollars (\$12,000) in the State & Federal Grants Fund for purposes of the Marion County Forensic Agency and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (a) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of transferring money between characters to pay expenses for 15 DNA cases to be processed by an external lab.

SECTION 2. The sum of Twelve Thousand Dollars (\$12,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY FORENSIC SERVICES AGENCY</u> | <u>STATE & FEDERAL GRANTS FUND</u> |
|---|--|
| 3. Other Services & Charges | <u>12,000</u> |
| TOTAL INCREASE | 12,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>MARION COUNTY FORENSIC SERVICES AGENCY</u> | <u>STATE & FEDERAL GRANTS FUND</u> |
|---|--|
| 1. Personal Services | <u>12,000</u> |
| TOTAL REDUCTION | 12,000 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

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Proposal No. 77, 2005 was retitled FISCAL ORDINANCE NO. 38, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 38, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 138, 2004) transferring and appropriating an additional Seventeen Thousand Five Hundred Fifty Dollars (\$17,550) in the State & Federal Grant Fund for purposes of the Marion County Justice Agency and reducing the unappropriated and unencumbered balance in the State & Federal Grant Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (d) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of transferring money between characters to pay expenses.

SECTION 2. The sum of Seventeen Thousand Five Hundred Fifty Dollars (\$17,550) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY JUSTICE AGENCY</u> | <u>STATE & FEDERAL GRANT FUND</u> |
|-------------------------------------|---------------------------------------|
| 1. Personal Services | 12,000 |
| 2. Supplies | <u>5,550</u> |
| TOTAL INCREASE | 17,550 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>MARION COUNTY JUSTICE AGENCY</u> | <u>STATE & FEDERAL GRANT FUND</u> |
|-------------------------------------|---------------------------------------|
| 3. Other Services & Charges | 11,500 |
| 4. Capital Outlay | <u>6,050</u> |
| TOTAL REDUCTION | 17,550 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 81, 2005 was retitled FISCAL ORDINANCE NO. 39, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 39, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional One Hundred Thousand Dollars (\$100,000) in the County General Fund for purposes of the Marion Superior Court, and reducing certain other appropriations from that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (f) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of transferring and appropriating money to cover current expenses.

SECTION 2. The sum of One Hundred Thousand Dollars (\$100,000) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION SUPERIOR COURT</u> | <u>COUNTY GENERAL FUND</u> |
|------------------------------|----------------------------|
| 4. Capital Outlay | <u>100,000</u> |
| TOTAL INCREASE | 100,000 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>MARION SUPERIOR COURT</u> | <u>COUNTY GENERAL FUND</u> |
|-------------------------------|----------------------------|
| 3. Other Services and Charges | <u>100,000</u> |
| TOTAL REDUCTION | 100,000 |

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 82, 2005 was retitled FISCAL ORDINANCE NO. 40, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 40, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 139, 2004) transferring and appropriating an additional Seven Thousand Six Hundred Ninety-eight Dollars (\$7,698) in the State and Federal Grants Fund for purposes of the Marion County Prosecutor and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 (c) of the City-County Annual Budget for 2005 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of transferring money between characters to pay rent expense at Community Court and pay for supplies.

SECTION 2. The sum of Seven Thousand Six Hundred Ninety Eight Dollars (\$7,698) be, and the same is hereby, appropriated the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

| <u>MARION COUNTY PROSECUTOR</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| 2. Supplies | 98 |
| 3. Other Services & Charges | <u>7,600</u> |
| TOTAL INCREASE | 7,698 |

SECTION 4. The said additional appropriation is funded by the following reductions:

| <u>MARION COUNTY PROSECUTOR</u> | <u>STATE AND FEDERAL GRANTS FUND</u> |
|---------------------------------|--------------------------------------|
| 1. Personal Services | 7,558 |
| 1. Personal Services - Fringes | <u>140</u> |
| TOTAL REDUCTION | 7,698 |

SECTION 5. Except to the extent of matching funds approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the auditor are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 84, 2005. Councillor Conley reported that the Public Works Committee heard Proposal No. 84, 2005 on March 17, 2005. The proposal, sponsored by Councillors Conley, Abdullah and Bradford, approves an increase of \$52,153 in the 2005 Budget of the Department of Public Works, Policy and Planning Division (State Grants Fund) to provide planning and consulting services to the Indianapolis Transit Task Force (ITTF) on behalf of IndyGo, financed by a grant from the State of Indiana, Public Mass Transit Fund (PMTF). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

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Councillor Conley moved, seconded by Councillor Bradford, for adoption. Proposal No. 84, 2005 was adopted on the following roll call vote; viz:

25 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

3 NOT VOTING: *Brown, Langsford, Randolph*

1 ABSENT: *Mansfield*

Proposal No. 84, 2005 was retitled FISCAL ORDINANCE NO. 41, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 41, 2005

A FISCAL ORDINANCE amending the City-County Annual Budget for 2005 (City-County Fiscal Ordinance No. 132, 2004) appropriating an additional Fifty-two Thousand One Hundred Fifty-three Dollars (\$52,153) in the State Grants Funds for purposes of the Department of Public Works, Policy and Planning Division, and reducing the unappropriated and unencumbered balance in the State Grants Funds.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(j) of the City-County Annual Budget for 2005 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Works, Policy and Planning Division to provide planning and consulting services to the Indianapolis Transit Task Force (ITTF) on behalf of IndyGo, financed by a grant from the State of Indiana, Public Mass Transit Fund (PMTF).

SECTION 2. The sum of Fifty-two Thousand One Hundred Fifty-three Dollars (\$52,153) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

DEPARTMENT OF PUBLIC WORKS
POLICY AND PLANNING DIVISION

3. Other Services and Charges

TOTAL INCREASE

STATE GRANTS FUND

52,153

52,153

SECTION 4. The said additional appropriation is funded by the following reductions:

Unappropriated and Unencumbered

State Grants Fund

TOTAL REDUCTION

STATE GRANTS FUND

52,153

52,153

SECTION 5. Except to the extent of matching funds, if any, approved in this ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 85-94, 2005 on March 17, 2005. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 85, 2005. The proposal, sponsored by Councillor Abduallah, authorizes a parking meter blackout on Monument Circle on May 27, 2005 to observe the 500 Festival Memorial Service. PROPOSAL NO. 86, 2005. The proposal, sponsored by Councillor

Abduallah, authorizes the removal of parking restrictions on Dr. Martin Luther King Jr. Street between 10th Street and 11th Street (District 15). PROPOSAL NO. 87, 2005. The proposal, sponsored by Councillor Langsford, authorizes intersection controls for Butler Avenue and Market Street (District 21). PROPOSAL NO. 88, 2005. The proposal, sponsored by Councillor Gray, authorizes a traffic signal for the driveway at 4330 N. Michigan Road (District 8). PROPOSAL NO. 89, 2005. The proposal, sponsored by Councillor Franklin, authorizes a traffic signal for the intersection of 63rd Street and Lee Road (District 12). PROPOSAL NO. 90, 2005. The proposal, sponsored by Councillor Brown, authorizes intersection controls for the Hartman Village Subdivision, Section 1 (District 18). PROPOSAL NO. 91, 2005. The proposal, sponsored by Councillor Cockrum, authorizes a change in the weight limit restriction on Gatwick Drive between Sterling Pointe Drive and Decatur Boulevard and on Sterling Pointe Drive between State Road 67 and Kirkwood Club Drive (District 22). PROPOSAL NO. 92, 2005. The proposal, sponsored by Councillor Cockrum, authorizes a weight limit restriction on Davis Drive between Mooresville Road and Murray Street and on Perry Street between Mooresville Road and Davis Drive (District 22). PROPOSAL NO. 93, 2005. The proposal, sponsored by Councillor Cockrum, authorizes a weight limit restriction on Banta Road from Stanley Road to Ratliff Road, and on Stanley Road from Camby Road to Banta Road (District 22). PROPOSAL NO. 94, 2005. The proposal, sponsored by Councillor Pfisterer, authorizes intersection controls for the Concord Court and Concord Street (District 14). By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal Nos. 85-94, 2005 were adopted on the following roll call vote; viz:

27 YEAS: Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

1 NOT VOTING: Plowman

1 ABSENT: Mansfield

Proposal No. 85, 2005 was retitled GENERAL RESOLUTION NO. 2, 2005, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 2005

A PROPOSAL FOR A GENERAL RESOLUTION to request a parking meter blackout on May 27, 2005, to encourage veterans and citizens to observe the 500 Festival Memorial Service on Monument Circle.

WHEREAS, Memorial Day began as Decoration Day where those who perished during the Civil War were remembered and their graves decorated; and

WHEREAS, later, veterans who gave the supreme sacrifice to preserve freedom in all of America's wars were honored on Memorial Day, a patriotic day which in 1971 became a national holiday; and

WHEREAS, Memorial Day weekend is a special time in Indianapolis with thousands of visitors and exciting events; and

WHEREAS, remembering the bedrock reason for the holiday, the 500 Festival Memorial Service will be held on Monument Circle in downtown Indianapolis on Friday, May 27, 2005 where appropriate homage will be accorded in a public memorial ceremony to these American patriots who gave their lives for our liberties; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 21, 2005

SECTION 1. The Indianapolis City-County Council, recognizing the importance of Memorial Day weekend in Indianapolis for local residents, visitors and for its international attention, requests that the Department of Public Works issue a one-day blackout of downtown Indianapolis' parking meters on May 27, 2005, as a token of the City's thanks and gratitude for those patriots who fought and died to keep America free.

SECTION 2. The Department of Public Works shall issue and implement a one-day blackout of downtown Indianapolis' parking meters on May 27, 2005 for the area bounded by St. Clair Street, South Street, East Street, and West Street.

SECTION 3. This resolution shall be in effect upon adoption and compliance with Ind. Code § 36-3-4-14.

Proposal No. 86, 2005 was retitled GENERAL ORDINANCE NO. 12, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the deletion of the following, to wit:

Dr. Martin Luther King Jr. Street, on the west side, from
10th Street to 12th Street

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-122, Stopping, standing or parking prohibited at all times on certain designated streets, be and the same is hereby amended by the addition of the following, to wit:

Dr. Martin Luther King Jr. Street, on the west side, from
11th Street to 12th Street

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 87, 2005 was retitled GENERAL ORDINANCE NO. 13, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-------------------------|---------------------|------------------------|
| 26 | Butler Ave Market St | Butler Ave | Stop |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 88, 2005 was retitled GENERAL ORDINANCE NO. 14, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|---|---------------------|------------------------|
| 17 | Michigan Rd at 4330 N. Michigan Rd (driveway of International School of Indiana) | None | Signal |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 89, 2005 was retitled GENERAL ORDINANCE NO. 15, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 15, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-------------------------------|---------------------|------------------------|
| 14 | Lee Rd 63 rd St | None | All Way Stop |

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|-------------------------------|---------------------|------------------------|
| 14 | Lee Rd 63 rd St | None | Signal |

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 90, 2005 was retitled GENERAL ORDINANCE NO. 16, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 16, 2005

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 21, 2005

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|------------------------------|---------------------|------------------------|
| 28 | Breman Ln Brocken Way | Brocken Way | Stop |
| 28 | Breman Ln Halle Dr | Breman Ln | Stop |
| 28 | Brocken Ct Brocken Way | Brocken Way | Stop |
| 28 | Brocken Way Cumberland Rd | Cumberland Rd | Stop |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 91, 2005 was retitled GENERAL ORDINANCE NO. 17, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the deletion of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Gatwick Drive between State Road 67 and Decatur Boulevard

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Gatwick Drive from Sterling Pointe Drive to a point
1,050 feet northwest of Sterling Pointe Drive

Sterling Pointe Drive between State Road 67 and Kirkwood Club Drive

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 92, 2005 was retitled GENERAL ORDINANCE NO. 18, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

10,000 POUNDS GROSS WEIGHT

Davis Drive, from Mooresville Road to Murray Street

Perry Street, from Mooresville Road to Davis Drive

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 93, 2005 was retitled GENERAL ORDINANCE NO. 19, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-364, Trucks on certain streets restricted.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-364, Trucks on certain streets restricted, be and the same is hereby amended by the addition of the following, to wit:

11,000 POUNDS GROSS WEIGHT

Banta Road, from Stanley Road to Ratliff Road

Stanley Road, from Camby Road to Banta Road

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 94, 2005 was retitled GENERAL ORDINANCE NO. 20, 2005, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 2005

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

| <u>BASE MAP</u> | <u>INTERSECTION</u> | <u>PREFERENTIAL</u> | <u>TYPE OF CONTROL</u> |
|-----------------|--------------------------|---------------------|------------------------|
| 24 | Concord Ct Concord St | Concord St | Stop |

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

President Talley recognized Councillor Becky Langsford who has been serving for the past year in her husband Lance's Council seat while he was serving in the military overseas. He stated that this will be Ms. Langsford's last meeting with the Council, as her husband will return and resume his seat. Councillor Langsford thanked the Council for the opportunity to serve and said that she

will miss everyone, but is ready for her husband to return and resume his seat. President Talley thanked Councillor Langsford for her dedicated service on this body.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Randolph in memory of Reverend Nathaniel Andrew Urshan, Esther Stoeckinger Alexander, Brigitte Lovett, Oliver Neiman, Robert Housel, Harold Simmons, Barbara Slinker, Gladys McQueen Silvey, and Alonzo (Waxey) Gordon; and
- (2) Councillor Oliver in memory of Bessie Helen Arnold and Claude Caldwell; and
- (3) Councillor Talley in memory of Sonia Dickerson; and
- (4) Councillor Gibson in memory of Hattie Belle Rucker; and
- (5) Councillor Nytes in memory of Curtis Heflen and Ernest Powell.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Reverend Nathaniel Andrew Urshan, Esther Stoeckinger Alexander, Brigitte Lovett, Oliver Neiman, Robert Housel, Harold Simmons, Barbara Slinker, Gladys McQueen Silvey, Alonzo (Waxey) Gordon, Bessie Helen Arnold, Claude Caldwell, Sonia Dickerson, Hattie Belle Rucker, Curtis Heflen and Ernest Powell. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:39 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 21st day of March, 2005.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

